Chapter 20: Civil Liberties–Protecting Individual Rights

The \_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_ Amendments guarantee Due Process.

Due Process Means\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Procedural Due Process \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Substantive Due Process \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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| The police power is the authority of each State to act to safeguard the well-being of its people. |
| *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*: States can limit the sale of alcohol and tobacco, make laws to combat pollution, and require vaccination of school children. |
| *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*: States can forbid concealed weapons, require the use of seat belts, and punish drunk drivers. |
| *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*: States can outlaw gambling, the sale of obscene materials, and prostitution. |
| *\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*: States can enact compulsory education laws, provide help to the needy, and limit profits of public utilities. |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ : The constitutional guarantees of due process create a right of privacy.

The right of privacy provoked controversy when it was applied to a woman’s right to an abortion, beginning with *Roe* v*.Wade* in 1973*.*

The \_\_\_\_\_\_\_\_\_ Amendment ratified in 1865, ended slavery in this country. It also protects against involuntary servitude, or forced labor.

The \_\_\_\_\_\_\_\_ Amendment protects the right of each State to form and keep a militia.

Many believe that the \_\_\_\_\_\_\_\_ Amendment also sets out an individual right to keep and bear arms.

The \_\_\_\_\_\_\_\_ Amendment protects against **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** (blanket search warrants) and “unreasonable searches and seizures.” It is extended to the States through the 14th Amendment.

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| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**—*to search a premise, in most cases, a warrant must be obtained based on a reasonable suspicion of crime* | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**—*to arrest a person, a police officer needs only probable cause* |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**—*police officers do not always need search warrants to search an automobile* | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**—*Evidence gained as a result of an illegal search cannot be used in court* |
| **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**—*unless police officers have a warrant, tapping phone calls is not legal* | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**—*drug testing can be conducted without a warrant or probable cause* |

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_—A court order which prevents unjust arrests and imprisonment

**Right to an Adequate Defense:**

**Some Rights of the Accused:**

**1)**

**2)**

**3)**

**4)**

The \_\_\_\_\_\_\_\_\_ Amendment declares that no person can be “compelled in any criminal case to be a witness against himself.” This protection extends to the States, and sometimes to civil trials if the self-incrimination could lead to a criminal charge.

The \_\_\_\_\_\_\_\_ Amendment also forbids “cruel and unusual punishment.” The Supreme Court extended the provision to the States in *Robinson* v. *California*, 1962.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**, or the death penalty, is hotly debated under the 8th Amendment.

**Treason** is the only crime defined in the Constitution.

Treason is:

1.

2.